

HOUSE No. 168

By Mr. Walsh of Boston, petition of James E. Vallee and others relative to the funding of collective bargaining agreements for employees of higher education employed at the University of Massachusetts and the state and community colleges of the Commonwealth. Public Service.

The Commonwealth of Massachusetts

PETITION OF:

James E. Vallee	Brian Knuuittla
Michael F. Rush	Ellen Story
Brian P. Wallace	Christine E. Canavan
Thomas M. Stanley	Karen Spilka
Susan C. Tucker	Michael E. Festa
John W. Scibak	Ruth B. Balser
Rachel Kaprielian	Bruce J. Ayers
Daniel E. Bosley	Stephen Kulik
Cynthia S. Creem	Marc R. Pacheco
Louis L. Kafka	Phillip Travis
Robert K. Coughlin	Joyce A. Spiliotis
Martha M. Walz	Christopher J. Donelan
James B. Leary	Robert A. Antonioni
Marie P. St. Fleur	Joseph R. Driscoll
Jarrett T. Barrios	Edward G. Connolly
Dianne Wilkerson	Benjamin Swan
John P. Fresolo	Steven M. Walsh
John A. Hart, Jr.	Walter F. Timilty
Michael R. Knapik	

In the Year Two Thousand and Five.

AN ACT TO FUND COLLECTIVE BARGAINING AGREEMENTS FOR HIGHER EDUCATION EMPLOYEES WORKING AT THE UNIVERSITY OF MASSACHUSETTS AND THE STATE AND COMMUNITY COLLEGES IN MASSACHUSETTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. The following collective bargaining agreements
- 2 shall be funded as follows:

1 SECTION 2. A reserve in the amount of \$79,260,000 shall be
2 created for the payment of the salary adjustments and other eco-
3 nomic items provided for in various collective bargaining agree-
4 ments negotiated between the board of trustees of the University
5 of Massachusetts and: the Massachusetts Society of
6 Professors/Faulty Staff Union/MTA/NEA; the Professional Staff
7 Union, Local 509, Service Employees International Union, AFL-
8 CIO/CLC; the University Staff Association/Massachusetts
9 Teachers Association/NEA; the International Brotherhood of
10 Police Officers, Local 432, Units A and B; the International
11 Brotherhood of Teamsters, Local 25 (two units); the University of
12 Massachusetts and the International Brotherhood of Police Offi-
13 cers, Local 399; the American Federation of State, County and
14 Municipal Employees, AFL-CIO, Council 93, Local 507; the
15 National Association of Government Employees, Local 245; the
16 American Federation of Teachers, Local 1895, AFL-CIO, Faculty
17 Federation; the American Federation of Teachers, Local 1895,
18 AFL-CIO, Educational Services; International Association of
19 Police Officers, Local 399; the Massachusetts Society of Profes-
20 sors/Lowell; the American Federation of State, County and
21 Municipal Employees, AFL-CIO, Council 93, Local 1776, pro-
22 vided that not less than \$260,000 be spent for the Labor Manage-
23 ment Workplace Education Program; the Graduate Employee
24 Organization, Local 2322, UAW; the Service Employees' Interna-
25 tional Union, Local 509, Unit B; the Service Employees' Interna-
26 tional Union, Local 254, AFL-CIO, CLC, Clerical-Technical Unit;
27 the Service Employees' International Union, Local 254, AFL-CIO,
28 CLC, Professional/Mid-Management Unit; the National Associa-
29 tion of Government Employees; the Graduate Employee Organi-
30 zation, Local 1596, UAW; and the Graduate Employee
31 Organization Boston, Local 1596, UAW; provided, that said pay-
32 ments shall fund the fiscal year 2002, 2003 and 2004 payments
33 associated with salary adjustments and other economic items pro-
34 vided for in such collective bargaining agreements; provided fur-
35 ther, that, no later than February fifteenth, two thousand and five
36 employees covered by the terms of the collective bargaining
37 agreements listed in this item shall be paid a lump sum amount
38 equal to the difference between (a) the salary specified in the rele-
39 vant agreement and (b) the salary each received, for the period
40 July first, two thousand and one through December thirty-first two

41 thousand and three; provided, further, that employees covered by
42 the terms of the collective bargaining agreements listed in this
43 item shall, subject to appropriation in fiscal year two thousand and
44 five and thereafter, continue to be paid salaries in effect for fiscal
45 2004 until the parties to said collective bargaining agreements
46 reach agreement or lawful impasse in negotiations for successor
47 agreements; provided, further, that the president of the University
48 of Massachusetts is authorized and directed to expend these funds
49 for such salary adjustments and other economic items in accor-
50 dance with the provisions herein and the terms of the collective
51 bargaining agreements listed in this item; provided further, that
52 funds appropriated herein shall be transferred by the comptroller
53 to the University based upon a schedule submitted by the presi-
54 dent of the University of Massachusetts; provided further, that any
55 requirement that the employer shall submit to the general court a
56 request for an appropriation necessary to fund cost items in a col-
57 lective bargaining agreement shall not apply to the funding for
58 salary adjustments and other economic items set forth in this item
59 for the collective bargaining agreements listed in this item,
60 notwithstanding the provisions of chapter one hundred and fifty E
61 of the General Laws, including subsection (c) of section seven of
62 said chapter one hundred and fifty E or any other general or
63 special law or collective bargaining agreement to the contrary and
64 any contractual requirement relative to allocation of appropria-
65 tions which would interfere with or impede the payment of salary
66 adjustments and other economic items provided for in this item
67 for the collective bargaining agreements listed in this item shall
68 not apply to the payment of such salary adjustments and other
69 economic items, notwithstanding the provisions of any collective
70 bargaining agreement to the contrary 79,260,000

1 SECTION 3. A reserve in the amount of \$26,000,000 shall be
2 created for the payment of the salary adjustments and other eco-
3 nomic items provided for in various collective bargaining agree-
4 ments negotiated between the board of higher education and: the
5 Association of Professional Administrators; and the American
6 Federation of State, County and Municipal Employees,
7 Council 93, Local 1067, AFL-CIO; provided, that said payments
8 shall fund the fiscal year 2002, 2003 and 2004 payments associ-
9 ated with salary adjustments and other economic items provided

10 for in such collective bargaining agreements; provided, further,
11 that, no later than February fifteenth two thousand and five,
12 employees covered by the terms of the collective bargaining
13 agreements listed in this item shall be paid a lump sum amount
14 equal to the difference between (a) the salary specified in the rele-
15 vant agreement and (b) the salary each received, for the period
16 July first, two thousand and one through December thirty-first two
17 thousand and three; provided, further, that employees covered by
18 the terms of the collective bargaining agreements listed in this
19 item shall, subject to appropriation in fiscal year two thousand and
20 five and thereafter, continue to be paid salaries in effect for fiscal
21 2004 until the parties to said collective bargaining agreements
22 reach agreement or lawful impasse in negotiations for successor
23 agreements; provided, further, that the chancellor of the board of
24 higher education is authorized and directed to expend these funds
25 for such salary adjustments and other economic items in accor-
26 dance with the provisions herein and the terms of the collective
27 bargaining agreements listed in this item; provided further, that
28 funds appropriated herein shall be transferred by the comptroller
29 to the board of higher education based upon a schedule submitted
30 by the chancellor of the board of higher education; provided, fur-
31 ther, that any requirement that the employer shall submit to the
32 general court a request for an appropriation necessary to fund cost
33 items in a collective bargaining agreement shall not apply to the
34 funding for salary adjustments set forth in this item for the collec-
35 tive bargaining agreements listed in this item, notwithstanding the
36 provisions of chapter one hundred and fifty E of the General
37 Laws, including subsection (c) of section seven of said chapter
38 one hundred and fifty E or any other general or special law or col-
39 lective bargaining agreement to the contrary and any contractual
40 requirement relative to allocation of appropriations which would
41 interfere with or impede the payment of salary adjustments and
42 other economic items provided for in this item for the collective
43 bargaining agreements listed in this item shall not apply to the
44 payment of such salary adjustments and other economic items,
45 notwithstanding the provisions of any collective bargaining agree-
46 ment to the contrary 26,000,000